



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,261	05/24/2001	Ikuya Arai	HIT 2 690-08	9568

7590 01/29/2002

MATTINGLY, STANGER & MALUR, P.C.
104 East Hume Avenue
Alexandria, VA 22301

EXAMINER

NGUYEN, CHANH DUY

ART UNIT	PAPER NUMBER
----------	--------------

2675

DATE MAILED: 01/29/2002

#5

Please find below and/or attached an Office communication concerning this application or proceeding.

SM

Office Action Summary

Application No.

09/863,261

Applicant(s)

ARAI ET AL

Examiner

Chanh Nguyen

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 08/013,810.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

Art Unit: 2675

DETAILED ACTION

Information Disclosure Statement

1. The references listed on the Information Disclosure Statement filed on May 24, 2001 have been considered by examiner.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Obvious Type Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 16-21 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,057,812 in view of McDaniel (U.S. Patent No. 4,415,985).

The independent claims associated with claims 16 and 20 define a display unit for display an image signal received from a personal computer including an interface circuit, a decoder and a signal generator. The patent claims clearly claimed the interface circuit (see claims 4, 7, 10 of U.S. Patent No. 6,057,812), a signal generator (e.g, display controller; see claims 1, 2, 4 of U.S. Patent No. 6,057,812) as well as an acknowledge signal (i.e, confirmation signal as described in claims 1, 4, 7, 10-11 of the U.S. Patent No. 6,057,812). The patent claims only differ from the independent claims 16 and 20 in that the feature a decoder is additionally recited. McDaniel clearly teaches a well-known in the art a decoder (164). Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have utilized the well-known decoder of McDaniel because the decoder is a simple device to produce a decimal read out without performing any complicated calculation.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 16 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by McDaniel et al (U.S. Patent No. 4,415,985; hereinafter briefly referred to as McDaniel).

As to claim 16, McDaniel discloses a display unit (e.g., CRT 64) for displaying an image signal received from a personal computer (e.g., central processor 52) including an interface circuit (60, 62) receiving a control signal including control data (e.g., line signal command or character codes) corresponding to a command inputted in the personal computer; see column 5, line 39 through column 6, line 59. McDaniel teaches a decoder (164) for decoding the control data included in the control signal to provide a digital signal see column 6, lines 45-51. McDaniel teaches a signal generator circuit (158, 556) for generating adjustment signal (i.e. multivibrator adjusts vertical sync signal) for a display based on the digital signal (character) provided from the decoder (164); see column 22, lines 20-30. The claimed "based on digital signal" is so broad that it can read on the vertical adjustment sync signal generated once the characters are outputted from the decoder (164). McDaniel teaches that "the PROM module 60 further includes acknowledge logic 148 which generates an acknowledge signal which is sent to the processor 90 to acknowledge to the processor 90 that good data is present on the data bus 56"; see column 5, lines 29-38. This reads on the claim "said interface circuit upon receiving said control signal sends out an acknowledge signal indicating reception of said control signal to said personal computer".

While this unlike applicant's disclose device, it reads on the broad claimed language.

As to claim 20, this claim differs from claim 14 only in that the limitation "input device" is additionally recited. This limitation is clearly taught by McDaniel. For example, McDaniel teaches that "a particular program is selected by the operator via

Art Unit: 2675

communications through the keyboard or some other similar device. In response to this selection, the system enters a conversational mode thereby informing the operator of the data required to execute the selected stored program"; see column 1, lines 41-46. Thus, the operator can request from a keyboard to execute or convert from single line mode to double line mode from the keyboard as taught by McDaniel. This reads on the claimed "inputted device" as recited in claim.

As to claim 19, McDaniel clearly teaches a memory (RAM 112) for storing the digital data.

As to claim 21, McDaniel teaches the input device including a keyboard (66).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

Art Unit: 2675

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over McDaniel in view of Bromberg et al (U.S. Patent No. 4,007,443; hereinafter briefly referred to as Bromberg).

As to claim 17, note the discussion of McDaniel above, McDaniel does not mention a start bit, a top bit and a control codes. Bromberg teaches a control codes as well as a start bit and a stop bit; see column 9, line 65 through column 10, line 20 through column 11, line 4. Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have utilized the control code, star bit and stop bit as taught by Bromberg to the character display information of McDaniel so that the microprocessor knows the transfer rate of the bits and the number of information bits are expect to transmit.

9. Claim18 is rejected under 35 U.S.C. 103(a) as being unpatentable over McDaniel in view of Bromberg as applied to claim16-17 above, and further in view of Naito (U.S. Patent No. 4,727,947).

As to claim 18, note the discussion of McDaniel and Bromberg above, both do not mention a digital/analog converter. Using a digital/analog converter for converting a digital signal to an analog signal is well-known in the art. For example, Naito teaches the use of a digital/analog converter (26-28) for converting digital signal from decoder to analog signal; see figure 1C. Therefore, it would have been obvious to one of ordinary

Art Unit: 2675

skill in the art at the invention was made to have utilized the digital/analog converter as taught by Naito to the display controller as taught by McDaniel as modified by Bromberg so that the digital signal can covert to analog signal.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanh Nguyen whose telephone number is (703) 308-6603.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Steven Saras can be reached at 305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center only)

Hand-delivered responses should be brought to Crystal Park II, 2121

Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

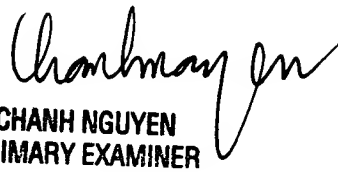
Art Unit: 2675

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

CN

C. Nguyen

January 24, 2002


CHANH NGUYEN
PRIMARY EXAMINER